

### **REMARKS**

This Submission under 37 C.F.R. 1.114 accompanies Applicants' Request for Continued Examination and is in supplemental response to the final Office Action mailed March 22, 2006 and is in response to the Advisory Action mailed June 28, 2006. By this response, claims 8 and 16 are amended.

In view of the following discussion, the Applicants submit that none of the claims now pending in the application are obvious under the provisions of 35 U.S.C. §103. Thus, the Applicants believe that all of these claims are now in allowable form.

It is to be understood that the Applicants, by amending the claims, do not acquiesce to the Examiner's characterizations of the art of record or to the Applicants' subject matter recited in the pending claims. Further, the Applicants are not acquiescing to the Examiner's statements as to the applicability of the art of record to the pending claims by filing the instant responsive amendments.

### **REJECTIONS**

#### **35 U.S.C. §103**

##### **Claims 8-21**

The Examiner has rejected claims 8-21 under 35 U.S.C. §103(a) as being unpatentable over Day et al. (U.S. Pat. 5,996,015, hereinafter "Day") in view of DeMoney (U.S. Patent 6,065,050, hereinafter "DeMoney"), Katinsky et al. (U.S. Pat. 6,452,609, hereinafter "Katinsky") and Goode et al. (U.S. Patent 5,781,227, hereinafter "Goode"). Applicants respectfully disagree.

The newly amended independent claims include the limitation of maintaining a play queue at said provider equipment comprising a plurality of playlists, wherein each playlist is associated with a respective subscriber. Specifically, a play queue resides within the server controller 108 (or session controller 145). The play queue 111 actually comprises a plurality of playlists, where each of the plurality of playlists is associated with a respective subscriber or set top terminal. In this manner, each of the plurality of set top terminals may benefit from low latency transitioning between respective

requested content streams (see, page 10, lines 6-13). This limitation is not taught or suggested by the cited references.

Day is cited by the Office Action as teaching or suggesting session manager/provider equipment for maintaining a playlist. Day does not teach or suggest a session manager or any provider equipment that maintains a play queue comprising a plurality of playlists, wherein each playlist is associated with a respective subscriber.

DeMoney discloses an efficient index table having two-tuples for use with trick play streams. As stated by the Office Action, DeMoney teaches associating trick play streams with a content stream by having an index table that contains the offset points that mark the entry and exit points. DeMoney is silent on maintaining a play queue comprising a plurality of playlists. Thus, DeMoney does not teach or suggest a session manager or a provider equipment for maintaining a play queue as claimed.

Katinsky discloses a user friendly media player at the user terminal using “pageless” internet site where media streams are delivered to the user without the user having to navigate to different pages. The user manipulates the media icon to create a playlist of media objects. The sequencer allows the user to select media icons from the media icon panel, and to create and modify one or more user-defined playlists. Katinsky merely teaches that users can create a playlist. It is silent on a session manager maintaining a play queue. Thus, Katinsky does not teach or suggest a session manager for maintaining a play queue comprising a plurality of playlists, wherein each playlist is associated with a respective subscriber. .

Furthermore, Goode fails to bridge the substantial gap between Day, DeMoney and Katinsky and Applicants’ invention. In particular, nowhere in Goode is there any teaching or suggestion of Applicants’ feature of a session manager/provider equipment that maintains a play queue, wherein each playlist is associated with a respective subscriber.

Thus, Day, DeMoney, Katinsky and Goode, singly or in combination, do not disclose at least session manager or provider equipment for maintaining a play queue comprising playlists. Specifically, none of the references teach or suggest maintaining a

play queue comprising a plurality of playlists, wherein each playlist is associated with a respective subscriber.

For at least the above reasons, Applicants submit that independent claims 8 and 16 are not obvious and fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder. Furthermore, claims 9-15 and 17-21 depend, either directly or indirectly, from independent claims 8 and 16 and recite additional features thereof. As such, and at least for the same reasons as discussed above, Applicants submit that these dependent claims also fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder. Therefore, Applicants respectfully request that the rejections be withdrawn.

### **CONCLUSION**

Thus, Applicant submits that claims 8-21 are in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall or Jasper Kwok at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

Dated: \_\_\_\_\_

7/25/06

EJ Wall

Eamon J. Wall  
Registration No. 39,414  
Attorney for Applicants

PATTERSON & SHERIDAN, LLP  
595 Shrewsbury Avenue, Suite 100  
Shrewsbury, New Jersey 07702  
Telephone: 732-530-9404  
Facsimile: 732-530-9808